

**MINUTES**  
**CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE**  
**Thursday, April 10, 2014, 9:30 a.m.**  
**Charlotte County Administration Center**  
**18500 Murdock Circle, Room 119, Port Charlotte, FL 33948**

**I. Call To Order and Pledge of Allegiance**

**II. Roll Call**

**III. Chairman's comments**

**A. REMINDER TO ALL VISITORS ADDRESSING THE COMMITTEE: PLEASE SIGN IN. It is helpful when preparing the Minutes. A clipboard and a pen are provided on the podium for your convenience.**

**B. REMINDER TO ALL MEMBERS STATE THEIR NAME AND ORGANIZATION and TO USE THE MICROPHONE WHEN ADDRESSING THE COMMITTEE. It is helpful when preparing the Minutes**

**IV. Changes to the Agenda**

Chairman Ireland indicated that agenda item VIII.b regarding the open positions on the Committee, will not be heard, at the request of the County Attorney.

**V. Citizen Comments on Agenda Items**

None offered

**VI. Commissioner Comments**

Commissioner Deutsch said that he was cautiously optimistic about this weekend's marine event – Speed Boat Races. He then introduced the members to Mr. Lee Anderson, editor of the Waterline publication.

**VII. Regular Business**

A. Approval of the Minutes of the Pre-Agenda Meeting from April 3, 2014 – Additions, Corrections or Deletions. – Motion by Mr. Buckley that the minutes be approved as circulated; second by Mr. Novak and unanimously approved.

B. Approval of the Minutes of the Regular Meeting from March 13, 2014 – Additions, Corrections or Deletions. Motion by Mr. Dye that the minutes be approved as circulated; second by Mr. Gertner and unanimously approved.

C. MSBU Update

Mr. Mopps spoke to the information presented in his update including the Alligator Creek deepening and other matters, summarizing the report which is attached hereto and made a part hereof. Concerning the Southbridge Waterway completed project, additional comments noting that by the end of the week that will have the approved channel markers in place. With regard to the Suncoast portion of the report, the comment was made that the property had been graded and had trash removed, and the markers for that one are scheduled also. In the information regarding the Stump Pass project, there is just one change from what is on the report: As of a Monday conversation with FDEP Bob Brantley, they will be pushing the 40% permeability rate of the design, but leaving the options to achieve this open. Staff is doing the final prep on the ERP submittal, keeping an eye on the Federal time constraints. Commissioner Deutsch also

commented in support and noted Board intentions to contact the State to press them on the time issue if necessary. There was some further discussion of the time impacts between the Commissioner and Mr. Mopps. Also with regard to Stump Pass, Mr. Mopps noted that staff had to remove the dayboards from the northern side of the pass which is shifting south in the usual way; they have put out buoys instead. Mr. Mopps said he would find out if funds are available for an interim dredge. He called for any questions.

Capt. Blago followed up on the idea of the interim dredging, specifically the time frame; Mr. Mopps elaborated on this, and also noted that there is currently also beach tilling going on in the area.

Mr. Hoffman regarding a matter not on this list, wondered about Ponce Park and whether that was an MSBU. Mr. Mopps indicated that it was not and noted that the City is here to discuss that.

Mr. Mopps also mentioned that April 1<sup>st</sup> there was a stakeholder meeting for the WCIND rule-making that would give them the ability to dredge some of the secondary and lead-in channels; there was disappointing turnout, despite the amount of information being presented; there was virtually no turn-out for the evening meeting which had been set to accommodate working people. Those who came had a very positive response. One thing that was discussed was an improvement ("nickum") for turns to the north when coming out of the pass, since north-bound traffic gets hung-up on the grass bed there. There were no negative comments on this proposal from people attending the meeting.

There were no further questions.

## **VIII. New Business**

### **A. Grant Funding Applications**

David Hilston, Urban Design Manager, City of Punta Gorda, presented information on the pump-out boat request with the updated numbers which the Committee had requested during the previous month's meeting. He noted that the number of staff positions for this vessel had been adjusted and the salary amount has been adjusted downward by over \$5,000. Mr. Hilston provided additional comments on this matter, noting that as a brand-new service, there had been no actual full annual operations expenditures to compare to in estimating the year's anticipated amounts. He also noted that DEP doesn't cover a number of things the City had thought they would cover, such as insurance, fuel and oil.

Mr. Harris commented that monies for this service had already been approved in the past, when there had also been a discussion whether this would require ongoing financing and whether the city and county should split this expense, and if so, further funding would not need to come out of MAC. That discussion recognized that the benefit is to attract tourism and increase the bed tax, in which case MAC should not be funding this entire program. If funded, then Mr. Harris said he felt it should be for the same amount as last year, with the city and county making up difference to reach the request for \$9,000. If there is a further need next year, it would be good to see the city and the county pick up the entire cost of maintaining this vessel. Mr. Hilston responded that this is a 'work in progress' in terms of getting useful numbers in, and the service will probably not be required as much next year, at which time there will be more

accurate information on what the program is costing. It is a joint city/county effort, as the City sees it.

Mr. Novak echoed this sentiment, noting that this is a service for not just the City but for the "north end of harbor"; he noted that if there is a way the county, other than thru this committee, can fund this effort, that should certainly be investigated, and he asked Commissioner Deutsch for comments on how that might be done. The Commissioner responded that he would want to research the matter, but he felt it was the sort of necessary service that would probably never be self-supporting. He said he believes it can be resolved. The Commissioner also commented on the high traffic levels this year in evidence of greater tourism to the area, noting that this will also bring new challenges to this committee and to Beaches & Shores. While he reiterated that he couldn't give a direct answer regarding funding at this time he indicated that the Commission could workshop it. He also stated that he felt there should be more financial support from WCIND on such matter.

Further discussion ensued and a motion was made by Mr. Buckley to approve the grant request for the continuation of the operating expenses for the pump-out boat, with a second by Mr. Dye. Discussion was opened on the matter; Capt. Blago asked to have the requested amount confirmed, which is currently \$9,560 after the reductions; he also commented on this as a start-up project, saying that it's important to know how it will be paid for in the future: Will the City and County partner to handle this cost in future or will MAC always be on the hook? Capt. Blago indicated he would vote in favor of the measure today. Mr. Rose noted the two distinct functions of the service, one of which is to service Laishley Marine and the other which is to service the general public on the harbor. He called for the proportion of service expended at Laishley to be determined, and to be paid for out of the dockage fees and be paid for by the Marine operation. The part of the effort and the cost that serves the public on the harbor he felt could be properly supported by this Committee. Commissioner Deutsch noted that WCIND funds are used in part for preserving the quality of water in harbor and this service supports that goal, so WCIND funds are appropriate here. Mr. Hilston commented that 75% of the total cost is already being funding through the DEP. Mr. Harris noted that is still tax money regardless of source; he also emphasized that the Committee had asked in past for the City to track the number of boats – both on the mooring field and at Gilchrist Park — so that when you come for funds, you can provide this information. However, the Committee never got that information. Mr. Hilston countered that the information was provided at the last month's meeting; the operators didn't know until Jan 2014 they should be collecting this info. He said that 67 Florida vessels and 46 non-Florida vessels had been serviced, although the data does not include the location of the service. He asked if different or addition data was needed, and reminded members that the operators are required to collect the information during the same time they are trying to do the pump-out work. Further discussion ensued on these details, and also on the "rewards card" program that advertises this service.

Ms. Bareither noted that because the amount has been changed, the motion would have to mention that; Mr. Buckley revised his motion. Additional discussion continued regarding the total costs, the mechanics of the service, the relationship of the fixed pump-out station vs. servicing by the boat in determining "dollar cost per pump-out" and other similar subjects.

Mr. Harris indicated that he supported Mr. Rose's suggestion. Mr. Hoffman suggested an agenda addition for discussion about how to carry on with this in the future, and vote the funding now. Mr. Ireland called the question: On motion by Mr. Buckley, seconded by Mr. Rose, and carried unanimously, that the City of Punta Gorda funding request be granted.

Mr. Ireland then directed the group's attention to the first item on list of five grant applications remaining for today, the outboard motor replacement for the volunteer vessel. Mr. Rick Kolar commented on the request which is for this year's funding (2013-14), and there is sufficient funds balance to cover it, as a budget adjustment. Mr. Kolar yielded the podium to Lt. Joe King from the Punta Gorda Police, who described the basis of the need for this request, in terms of ongoing problems with the motor.

Mr. Ireland asked about the motor size, and Ms. Buck asked if this was for Officer Kennedy's boat. Lt. King responded that the motor would be a 150hp, and that it was not for Officer Kennedy's boat. Mr. Fleming asked for other specifics of the current motor and the intended replacement. Lt. King responded and also offered comments about the high usage this equipment receives. Further detailed discussion ensued, upon completion of which Mr. Rose moved approval of the request, second by Mr. Dye. Mr. Ireland called for any discussion; Capt. Blago reiterated his personal position that the Committee shouldn't be buying this type of equipment for a government organization, instead, it should be part of their budget. He pointed out that there's an endless number of groups who would like boats and motors and that the Committee has already agreed to purchases for the Englewood Fire District, the Boca Grande Fire District, Charlotte County Fire Department and the Sheriff, likewise the Punta Gorda Fire Department, etc. He noted that since most of these funds come out of WCIND, it could be drained pretty quick if everybody came asking. Mr. Rose commented, as a philosophical point, that if such requests are paid for by the citizens out of the general funds, then this includes people who are not on the water, and so why should they pay for marine or harbor-related items? Mr. Buckley asked about the notion that up to 20% of MAC's funds are a law enforcement entitlement, and wondered whether that is 20% for each agency, or can the Committee arrive at a percentage of total to be spread amongst them all? Mr. Harris disagreed that law enforcement has a 20% entitlement; it is *up to 20%* around the parameters outlined in WCIND; e.g., associated specifically with marine activity. Mr. Harris also offered the 'rule of thumb' that 100 hours of boating is the equivalent of 10,000 miles on an automobile; 2800 hours on the engine is a significant amount of use. Mr. Ireland called the question; Mr. Rose's motion to fund the request, second by Mr. Dye, passed unanimously.

The next request to be considered was a City request for maintenance dredging of the Ponce inlet up to Sancho Panza Point. Presenting for the City's Public Works Department, Mark Gehring described the project which has an estimated cost for dredging of \$300,000; the request to this group is for \$200,000 of the total, the balance to be funded by the PGI Canal Advisory Committee. Mr. Gehring noted that Ponce Park is a free boat launch which serves the entire community, and there are various other costs that the City incurs for the boat ramp such as restrooms, concrete replacement, ADA improvements and the like. Mr. Novak asked him to talk about what level the dredging would go to; Canal Supervisor Gary Disher responded on this point, noted that the permit allowed levels of minus 6 to 8 feet mean low tide, and they would dredge to the permitted levels. He noted it had been a long time since there had been a full dredge

profile. Mr. Novak offered information (which he acknowledged could be wrong) which indicated the last dredge was in 1998; Mr. Rose corrected that there had been a full dredging after the hurricane. Mr. Harris asked if permits were already in place, and was answered affirmatively. Mr. Gertner asked the split of 200000/100000 was arrived at; Mr. Gehring said it was felt to be fair based on the quantities, length and use of the canal. Mr. Dye moved approval; second by Mr. Novak. There being no further discussion, Mr. Ireland called the question, which was unanimously approved.

Mr. Gehring next presented a request concerning the Burnt Store Isles locks, describing the work being contemplated to remove the four-foot concrete piers which originally held the lock gates which have been removed. The piers constrict the lock to 17 feet. There is a preliminary FDEP approval to remove the piers; the cost to accomplish is estimated at \$100,000 but likely will be less. Mr. Fleming expressed his concern, given that this is a subdivision within the city; he noted that other communities in the county pay for such projects via MSBUs, and don't get to come to us for funding. He said he felt it would be setting a bad precedent. Mr. Wilson felt the amount being requested was way too much money for the work needed, stating he had gone to the site to have a look. Beyond the philosophical issue just raised, he stated that the estimating is way off. Mr. Gehring reiterated the hope that it is, in fact, high, but reminded that it's a "worst case" estimate, meant to forestall coming back for a second request due to a funding shortfall. He stated that the issue was not just concrete but concrete filled with rebar, and will require extensive underwater work.

Mr. Rose asked if the subdivision was giving any funding at all for this work; Mr. Gehring responded that the Committee has allotted 50% of the money in this year's budget and 50% in next year's, if MAC decides not to fund the project. Speaking for the Burnt Store Isles Advisory Committee, Mr. Gary Brewster noted that the funding is in the reserves, but using it would deplete the reserves, so any other catastrophic event like seawall collapse, would then become a hardship. He characterized this as a safety issue. Further discussion ensued on a number of details. Mr. Harris offered comments on the controversy within the BSI community over spending their funds on this removal. The question is, where there is an existing MSBU, is the Committee setting a bad precedent, opening the question why we don't fund all these other projects, e.g., Manchester Locks. (Mr. Harris indicated he would not be voting on this matter.) Mr. Ireland sought to clarify that the request is for the entire amount of removal, but the MSBU would pay some of it. Mr. Gehring amended that, noting the MSBU would pay if MAC voted down the request. Mr. Buckley asked if the BSI community is already paying into Alligator Creek MSBU; Mr. Harris responded in the affirmative and offered some further detail. He noted that the MSBU for Alligator Creek has about one million dollars in it and provided more detail on where that MSBU money comes from and what it would cost to dredge that creek. The community also could raise the money with a special assessment over a two-year period. Mr. Brewster addressed those comments, but noted that the County Attorney apparently said that the MSBU can't pay because the work would be outside the MSBU, in the city, and Alligator Creek is County property, not city. Further discussion ensued on these and related points. A motion was made by Mr. Buckley to fund the project, and seconded by Mr. Dye. Mr. Gertner noted that the structure had been there a long time and indicated he is unsure why the work has to be done now, rather than waiting for the MSBU to fund it and still maintain their reserves. He agreed with Mr. Rose that it would

be the wrong precedent to set. Mr. Novak said that the precedent on contribution has been set by the Manchester Waterway previously. Mr. Harris clarified that the Manchester work was paid completely by the MSBU; Capt. Blago noted that MAC paid for some mitigation work required by DEP. Mr. Ireland called the question; the motion to fund this request failed on the following vote:

AYE	NAY
Capt. Blago Capt. Buckley Mr. Dye Mr. Novak	Mr. Bobko Ms. Buck Mr. Fleming Mr. Gertner Mr. Ireland Mr. Kumm Capt. Allen Mr. Meckenberg Mr. Rose Mr. Hoffman Mr. Wilson
The following members abstained: Ms. Bareither Mr. Harris	

Mr. Gehring next presented a request for funding of a bathymetric survey within the perimeter canal, with an eye to improving the navigability of the channel. This estimated cost is \$10,000. Ms. Buck inquired whether this work could be done by volunteers; Mr. Gehring indicated that this has to be licensed survey which can be used for permitting purposes. Mr. Brewster passed around photos to illustrate the issue, noting that it had been improperly dredged in the past. Mr. Ireland asked in regard to the probe survey whether any of this is seawalled and was told that the left side is seawalled. It is not filling in each year, according to Mr. Brewster, because the sediment is dredged every year. Mr. Fleming commented this seems to once again be asking for funds on a project that would be properly MSBU funded. (Commissioner Deutsch departed the meeting at 11:00 a.m.) Mr. Gehring agreed it is within MSBU. Mr. Harris asked if there was any pushback anticipated from DEP due to the proximity of the mangroves to the Aquatic Preserve; he had a 2012 project in the harbor within the Aquatic preserve which ran into problems. He suggested there be a meeting with DEP first, before spending any money; Mr. Gehring indicated they had had that meeting, and that they will be recontouring the bottom, not impacting the mangroves. After discussion of a few additional technical details, Mr. Novak moved to approve, second by Mr. Buckley. Mr. Gertner reemphasized that he feels this is another MSBU item and that he would oppose funding. Mr. Ireland called the question; the motion failed on a split vote as follows:

AYE	NAY	
Capt. Buckley Mr. Novak	Mr. Bobko Ms. Buck Mr. Fleming Mr. Gertner Mr. Ireland Mr. Kumm	Capt. Allen Mr. Meckenberg Mr. Rose Mr. Hoffman Mr. Wilson
The following members abstained: Ms. Bareither Mr. Harris		

**B. ~~Open position on the Committee~~ – THIS ITEM WAS NOT HEARD**

Mr. Ireland confirmed that the submittals received under this item were being reviewed by the County Attorney's office and the matter would come back before the group shortly.

**C. Punta Gorda Motor Request** – This matter was handled earlier in the meeting

**D. Update on Bay Heights Project**

Since Mr. Stevens is not here and no other information is available, the matter will be tabled until next month.

**IX. Old Business**

None offered.

**X. Other Business**

**A. Mike Quinn's Resignation**

Mr. Ireland confirmed Mr. Quinn's resignation and indicated that the group he represented, the Punta Gorda Isles Fishing Club, has chosen Mr. Quinn's successor. His resume is one of those being reviewed; he is a prior member who is re-applying. Mr. Harris noted the Committee is awaiting a confirming letter from the Commodore. Mr. Ireland indicated he had received an email saying they had a replacement, without giving the candidate's name. There will be clarification; the matter is tabled to the next meeting.

**XI. Citizen Comments**

DEP Representative Mary McMurray spoke regarding an oyster restoration program in the Peace River, offering staff to come address the group on the matter.

**XII. Good of the Order**

- Mr. Harris suggested there be an update to all members' contact information, to ensure it is current; the recording secretary will attend to this.
- Mr. Hoffman indicated that he wants the next meeting to include a discussion of the boat ramps and in particular the Committee funding versus the parking meters.
- Ms. Buck noted that tomorrow night there will be a parade held in Punta Gorda supporting the offshore power boat race; she invited the membership to attend.

**XIII. Next Meetings**

- The next **Pre-Agenda Meeting** will be held Thursday, May 1, 2014 at 9.30 a.m. Room B-106. Mr. Ireland noted that there has been increase in attendance.
- The next **Regular Meeting** will be held Thursday, May 8, 2014 at 9:30 a.m. in Room 119

**XIV. Adjournment**

On motion made, the meeting was adjourned at 11:14 a.m.

Respectfully submitted,

Gayle Moore,  
Recording Secretary

Minutes Approved on May 8, 2014

Tom Ireland, Chairman  
Marine Advisory Committee